

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James Alexander Reeds III and Wen-Ping Ying

Title: APPARATUS, SYSTEM AND METHOD FOR VALIDATING  
INTEGRITY OF TRANSMITTED DATA

Application No.: 09/879,575 Filed: June 12, 2001

Examiner: Ellen C. Tran Group Art Unit: 2134

Atty. Docket No.: 037-0039 Confirmation No.: 4755

---

November 17, 2008

Mail Stop Appeal Briefs - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF  
(37 C.F.R. § 41.37)**

This paper is responsive to the Notification of Non-Compliant Appeal Brief mailed on November 7, 2008, having a period for response set to expire December 7, 2008. Applicants respectfully submit the attached STATUS OF CLAIMS as a replacement for the STATUS OF CLAIMS included in the Appeal Brief filed on October 27, 2008. Applicants believe that the updated Appeal Brief complies with 37 C.F.R. § 41.37. Consideration of the updated Appeal Brief is respectfully requested.

Any fees required by this paper under 37 C.F.R. § 41.20(b)(2) are being provided as directed in an electronic submission of this paper or in a transmittal letter accompanying this paper. However, the Commissioner is hereby authorized to charge any deficiency in fees required by this paper and any additional fees under 35 C.F.R. § 1.16 or 1.17 which may be required during the pendency of this application, and to similarly credit any overpayment, to Deposit Account 50-0631.

**STATUS OF CLAIMS**

Claims 1-3, 5-16, 18-22, 26-32, 41-43, 45-47, and 57 are pending and stand as rejected.

Claims 4, 17, 23-25, 33-40, 44, and 48-56 are canceled. Rejected claims 1-3, 5-16, 18-22, 26-32, 41-43, 45-47, and 57 are the subject of this appeal.

REMARKS

Applicants respectfully submit a replacement STATUS OF CLAIMS section to the STATUS OF CLAIMS section of the Appeal Brief filed on October 27, 2008. The updated STATUS OF CLAIMS indicates that claims 4, 17, 23-25, 33-40, 44, and 48-56 are canceled. Applicants believe that the replacement STATUS OF CLAIMS section satisfies the requirements of 37 CFR § 41.37(c)(1)(iii).

Interview Summary

Applicants appreciate the interview granted by Examiner Timothy Cole with the undersigned on November 17, 2008. The Examiner agreed that box 4 of the Notification of Non-Compliant Appeal Brief was checked by mistake and that the SUMMARY OF CLAIMED SUBJECT MATTER of the Appeal Brief complies with the requirements of 37 CFR § 41.37(c)(1)(v).

The undersigned pointed out to the Examiner that claims 4, 17, 23-25, 33-40, 44, and 48-56 are canceled. The Examiner agreed that the Applicants need only file a replacement STATUS OF CLAIMS section reflecting that status instead of an entire new appeal brief.

The Examiner agreed that the GROUND OF REJECTION TO BE REVIEWED ON APPEAL section of the Appeal Brief filed on October 27, 2008 complies with the requirements of 37 CFR § 41.37(c)(1)(vi). The Examiner also agreed that the ARGUMENT section of the Appeal Brief filed on October 27, 2008 complies with 37 CFR § 41.37(c)(1)(vii).

Applicants believe that the updated Appeal Brief complies with 37 C.F.R. § 41.37. Consideration of the updated Appeal Brief is respectfully requested.

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that, on the date shown below, this correspondence is being

deposited with the US Postal Service with sufficient postage as first class mail in an envelope addressed as shown above.  
 facsimile transmitted to the USPTO.  
 transmitted using the USPTO electronic filing system.

/Nicole Teitler Cave/  
Nicole Teitler Cave

11/17/08  
Date

Respectfully submitted,

/Nicole Teitler Cave/

Nicole Teitler Cave, Reg. No. 54,021  
Attorney for Applicant(s)  
(512) 338-6315 (direct)  
(512) 338-6300 (main)  
(512) 338-6301 (fax)

EXPRESS MAIL LABEL: \_\_\_\_\_